

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3644
Examiner : Joshua J. Michener
Applicant : Roland Busse
Appln. No. : 10/500,078
Filing Date : November 26, 2004
Confirmation No. : 5861
For : DEVICE FOR FEEDING POULTRY ESPECIALLY FATTENED
POULTRY, PREFERABLY BOILERS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 26, 2008 finally rejecting claims 20, 23-26, 34, 35, 36, 37, 40, 43-46, 54, 55, 56, 57, 60, 63-66, 74, 75, 76, 77 and 80-85.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

____ other than a small entity
 X small entity

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 35 USC §41(a)(6) the fee for filing the Notice of Appeal is:

X small entity \$255.00
____ other than a small entity \$510.00

Notice of Appeal fee due: \$255.00

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3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

- (a) ___ Applicant petitions for an extension of time under 37 C.F.R. §§41.37(e) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
___ one month	\$120.00	\$60.00
___ two months	\$460.00	\$230.00
___ three months	\$1050.00	\$525.00

Fee: \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- (b) ___ An extension for ___ months has already been secured and the fee paid therefor of \$ ___ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$

or

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- (b) X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$255.00
Extension fee (if any): \$0

Total Fee Due: \$255.00

5. FEE PAYMENT

 Attached is a check in the sum of \$

X Charge Account No. 16 2463 the sum of \$255.00
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

X If any additional extension and/or fee is required charge Account No. 16 2463.

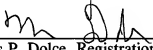
and/or

X If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

Date

9/25/08



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MPD/msj